IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12127 of 1994

For Approval and Signature:

HON'BLE MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RATILAL NAGINDAS SHAH & 1

Versus

CANTONMENT BOARD & 1

Appearance:

1. Special Civil Application No. 12127 of 1994

MR NS SHETH for Petitioner No. 1-2 (absent)

MRS VASAVDATTA BHATT for Respondent No. 1 (absent)

NOTICE SERVED BY DS for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE B.J.SHETHNA

Date of decision: 13/12/2004

ORAL JUDGEMENT

This is a petition of 1994. Neither Mr.Sheth for

petitioner nor Mrs.Vasavdatta Bhatt for respondent No.1 was present when the matter was called.

From the order sheet of this matter, it appears that time and again this matter was placed on Board. In fact, on earlier occasion, it was dismissed for default, but later on restored to the file at its original number. However, the same position seems to have been continued after the matter is restored. Be that as it may.

In absence of the learned counsel for the petitioner, this court has no option but to dismiss it for default. Accordingly, it is dismissed. Rule is discharged. Interim relief granted earlier stands vacated. No order as to costs.

(B.J.Shethna, J.)

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